

REMARKS

The Office action dated September 15, 2011, has been received and carefully reviewed.

Claim 49 has been amended to require the steps of providing a cooling assembly, and cooling the drawn tube in the cooling assembly. Furthermore, claim 49 has been amended to require the steps of providing a radial expansion assembly having an annular vacuum chamber, and increasing the diameter of the drawn tube in the radial expansion chamber.

Support for the amendments to claim 49 can be found in paragraphs [0040], [0041], [0090], [0091], [0092], [0096], and Figs. 2 and 11 of the publication of the application (US 2007/0131640).

New claim 106 finds support in paragraphs [0095] and [0096] and Figs. 2 and 11.

Claim 62 has been amended to place a period at the end of the claim.

Claim 66 is objected to as having a comma at the end of the claim instead of a period. An appropriate amendment to claim 66 has been made.

Withdrawal of the objection is thus urged.

Claims 49-50, 53, 60, 74, 80, 88, 92, 94 and 96 are rejected under 35 USC 103(a) as obvious over Spelman (GB

1088551) in view of Erickson (US 3,631,899) and Levine et al. (US 4,576,207).

It is submitted that a combination of Spelman, Erickson, and Levine et al. would not have suggested the invention of claim 49, as presently claimed, and claims which are dependent on claim 49.

None of the cited references teaches or suggests the steps of (i) providing a cooling assembly and cooling the drawn tube in the cooling assembly, or (ii) providing a radial expansion assembly having an annular vacuum chamber and increasing the diameter of the drawn tube in the radial expansion chamber.

As such, the rejection of claims 49-50, 53, 60, 74, 80, 88, 92, 94 and 96 based on the Spelman, Erickson, and Levine references is unsustainable and should be withdrawn.

The following rejections of claims depending on claim 49 have also been made by the Patent Office:

(1) Claims 51-52 and 65 under 35 USC 103(a) as being obvious over Spelman, Erickson, Levine, and Hagen (GB 701,436).

(2) Claims 54 and 56-58 under 35 USC 103(a) as being obvious over Spelman, Erickson, Levine, and Takagi et al. (US 3,752,630).

(3) Claims 59 and 61-62 under 35 USC 103(a) as being obvious over Spelman, Erickson, Levine, Takagi et al., and Elleray et al. (GB 1380397).

(4) Claims 64, 75-77, 81, 84-85 and 89 under 35 USC 103(a) as being obvious over Spelman, Erickson, Levine, and Granger (US 2002/0070104).

(5) Claims 66, 68-69 and 86-87 under 35 USC 103(a) as being obvious over Spelman, Erickson, Levine, and National Carbon (GB 468762).

(6) Claim 67 under 35 USC 103(a) as being obvious over Spelman, Erickson, National Carbon, Levine, and Granger (US 2004/0070104).

(7) Claims 70-71 under 35 USC 103(a) as being obvious over Spelman, Erickson, Levine, and Reed et al. (US 4,735,538).

(8) Claims 82-83 under 35 USC 103(a) as being obvious over Spelman, Levine, Granger, Erickson, and National Carbon.

(9) Claim 95 under 35 USC 103(a) as being obvious over Spelman, Levine, Erickson, and Elleray et al.

(10) Claim 63 under 35 USC 103(a) as being obvious over Spelman, Levine, Takagi, Erickson, Elleray et al. and Okabe et al. (US 4,948,006).

(11) Claim 78 under 35 USC 103(a) as being obvious over Spelman, Levine, Granger, Erickson, and Iwanami et al. (US 4,954,557).

None of the additional references cited in (1) to (11) above teach or suggest the steps of (i) providing a cooling assembly and cooling the drawn tube in the cooling assembly, or (ii) providing a radial expansion assembly having an annular vacuum chamber and increasing the diameter of the drawn tube in the radial expansion chamber.

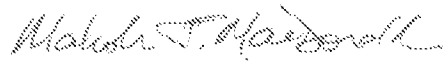
Accordingly, and since all of the claims rejected in (1) to (11) above depend on claim 49, they are patentable for the same reasons given above for claim 49.

The rejections (1) to (11) should therefore be favorably reconsidered and withdrawn.

Applicants submit that the application, with amended claims 49-106, is now in condition for allowance, and an early notice to that effect is earnestly solicited.

Applicants hereby petition the Commissioner for Patents to extend the time for reply to the Office action dated September 15, 2011, for two (2) months from December 15, 2011, to February 15, 2012. Payment is being made by electronic funds along with the filing of this paper.

Respectfully submitted,
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A handwritten signature in cursive script, appearing to read "Malcolm J. MacDonald".

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